

105TH CONGRESS  
1ST SESSION

**H. R. 1948**

**AN ACT**

To provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

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To provide for the exchange of lands within Admiralty Island  
National Monument, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Hood Bay Land  
3 Exchange Act of 1997”.

4 **SEC. 2. FINDINGS.**

5       The Congress makes the following findings:

6           (1) The Alaska National Interest Lands Con-  
7 servation Act established the Admiralty Island Na-  
8 tional Monument which is managed by the Secretary  
9 of Agriculture, by and through the Forest Service.

10          (2) The Forest Service has established a policy  
11 of encouraging the acquisition of private land  
12 inholdings within Admiralty Island National Monu-  
13 ment on a willing buyer/willing seller basis. Congress  
14 has supported this policy, for example by passage of  
15 the Greens Creek Land Exchange Act of 1996 which  
16 provided for a land exchange of certain public and  
17 private lands in Admiralty Island National Monu-  
18 ment.

19          (3) Lands owned by Alaska Pulp Corporation,  
20 consisting of 54 acres, more or less, located in Hood  
21 Bay on Admiralty Island within the boundaries of  
22 the Kootznoowoo Wilderness are available for trans-  
23 fer to Federal ownership on a willing seller/willing  
24 buyer basis. The acquisition of these lands would  
25 provide Federal ownership of this valuable land in a

1 critical area of Admiralty Island National Monu-  
2 ment.

3 (4) The United States is the owner of certain  
4 reversionary interests to 143.87 acres, more or less,  
5 located adjacent to Silver Bay near Sitka, Alaska,  
6 which interests were reserved in patent No. 1213671  
7 issued to the Alaska Pulp Corporation on October  
8 18, 1960. The transfer of the reversionary interests  
9 of the United States in such lands adjacent to Silver  
10 Bay to the Alaska Pulp Corporation would facilitate  
11 future use and development of that land.

12 (5) The future acquisition by the United States  
13 of the Chaik Bay property on Admiralty Island to be  
14 incorporated into the Kootznoowoo Wilderness would  
15 be in the public interest.

16 **SEC. 3. DEFINITIONS.**

17 As used in this Act:

18 (1) The term “ANILCA” means the Alaska  
19 National Interest Lands Conservation Act (16  
20 U.S.C. 3101 et seq.).

21 (2) The term “Company” means the Alaska  
22 Pulp Corporation, an Alaska corporation, its succes-  
23 sors, and assigns.

24 (3) The term “Company Property” means the  
25 property depicted on United States Survey Plat

1       1058 approved March 20, 1917, consisting of ap-  
2       proximately 54 acres of land.

3           (4) The term “Federal Property” means the re-  
4       versionary interest of the United States described in  
5       paragraphs (6) and (7) of the patent dated October  
6       18, 1960, granted by the Bureau of Land Manage-  
7       ment to Alaska Lumber & Pulp Co., which was re-  
8       corded at Book 15, Pages 271–273, Sitka Recording  
9       District on November 9, 1960. The term “Federal  
10      Property” does not include the interests described in  
11      paragraphs (1) through (5) of the said patent.

12          (5) The term “Monument” means the Admi-  
13      ralty Island National Monument, which was estab-  
14      lished by section 503 of ANILCA and which is man-  
15      aged by the Secretary of Agriculture as a unit of the  
16      National Forest System.

17          (6) The term “Secretary” means the Secretary  
18      of Agriculture.

19          (7) The term “Sitka” means the city and bor-  
20      ough of Sitka, Alaska, a home-rule borough formed  
21      in accordance with the laws of the State of Alaska.

22          (8) The term “Sitka Property” means the prop-  
23      erty depicted on the maps entitled “Sitka Property”,  
24      dated August 29, 1997, consisting of approximately  
25      49 acres of land.

1 **SEC. 4. LAND EXCHANGE, TRANSFER, RELINQUISHMENT.**

2 (a) EXCHANGE OF COMPANY AND FEDERAL PROP-  
3 ERTY.—After the Company conveys to the United States,  
4 by general warranty deed, all right, title, and interest of  
5 the Company in and to the Company Property, the Sec-  
6 retary shall within 60 days of acceptance of delivery of  
7 said deed, unconditionally and without limitation except  
8 as provided herein, relinquish to the Company all right,  
9 title, and interest of the United States in and to the Fed-  
10 eral Property and shall evidence that relinquishment by  
11 conveying to the Company a quitclaim deed to the Federal  
12 Property.

13 (b) RELINQUISHMENT OF PROPERTY TO SITKA.—  
14 Upon relinquishment of the Federal Property to the Com-  
15 pany under subsection (a), the Company shall transfer all  
16 right, title, and interest of the Company in the Sitka Prop-  
17 erty to Sitka.

18 (c) AVAILABILITY OF MAPS.—The maps referred to  
19 in section 3(3) depicting the Company Property and in  
20 section 3(4) depicting the Federal Property shall be on  
21 file and available for public inspection in the Office of the  
22 Forest Supervisor, Chatham Area, Tongass National For-  
23 est, in Sitka, Alaska. The maps referred to in section 3(8)  
24 depicting the Sitka Property shall be on file and available  
25 for public inspection in the office of the Manager of the  
26 City and Borough of Sitka, Alaska, until the conveyance

1 described in subsection (b), at which time the maps shall  
2 be recorded along with the deed.

3 **SEC. 5. PROCESSING OF AND TERMS AND CONDITIONS RE-**  
4 **LATING TO LAND EXCHANGE.**

5 (a) SURVEYS.—Notwithstanding any other provision  
6 of law, the Secretary of the Interior may conduct and ap-  
7 prove all cadastral surveys that are necessary for comple-  
8 tion of the exchange. The cost of any surveys shall be  
9 borne by the Company.

10 (b) EQUAL VALUE EXCHANGE.—The values of the  
11 Federal Property and the Company Property are deemed  
12 to be of equal value.

13 (c) ADMINISTRATION.—The Secretary is directed to  
14 implement and administer the rights and obligations of  
15 the United States under this Act.

16 (d) CLEANUP OBLIGATIONS.—Nothing in this Act  
17 shall impact or alter the Company's rights, duties, and  
18 obligations regarding investigation, remediation, cleanup,  
19 and restoration under its September 10, 1995, Commit-  
20 ment Agreement with the State of Alaska or other applica-  
21 ble law. The Company shall use its property consistent  
22 with all restrictive covenants, including those restrictive  
23 covenants recorded on September 4, 1997.

24 (e) TITLE STANDARDS.—Title to the Company Prop-  
25 erty to be conveyed to the United States shall be accept-

1 able to the Secretary consistent with the title review stand-  
 2 ard of the Attorney General of the United States.

3 **SEC. 6. GENERAL PROVISIONS.**

4 (a) MANAGEMENT OF COMPANY PROPERTY.—Upon  
 5 acquisition of the Company Property by the United States  
 6 pursuant to this Act, said property shall be managed as  
 7 a part of the Admiralty Island National Monument and  
 8 the Kootznoowoo Wilderness.

9 (b) AUTHORIZATION TO NEGOTIATE FOR ACQUISI-  
 10 TION OF PROPERTY.—In furtherance of the purposes of  
 11 the Kootznoowoo Wilderness, the Secretary, acting  
 12 through the Forest Service, is authorized to enter into ne-  
 13 gotiations with the owners of private property in Chaik  
 14 Bay on Admiralty Island, with the objective of acquiring  
 15 such property. The Secretary is authorized to enter into  
 16 an option to purchase or an exchange agreement with the  
 17 owners of such property to be effected either through ex-  
 18 isting administrative mechanisms provided by law and reg-  
 19 ulation, or by subsequent ratification by Act of Congress.

Passed the House of Representatives September 23,  
 1997.

Attest:

*Clerk.*